

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **DARIUSH GHAFARI, M.D.**

Case No. MD-06-0037A

4 Holder of License No. **21840**
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

**CONSENT AGREEMENT FOR SURRENDER
OF ACTIVE LICENSE**

7 **CONSENT AGREEMENT**

8 By mutual agreement and understanding between the Arizona Medical Board ("Board") and
9 Dariush Ghaffari, M.D. ("Respondent") the parties agree to the following disposition of this matter.

10 1. Respondent has read and understands this Consent Agreement and the stipulated
11 Findings of Fact, Conclusions of Law and Order ("Consent Agreement"). Respondent
12 acknowledges that he has the right to consult with legal counsel regarding this matter.

13 2. By entering into this Consent Agreement, Respondent voluntarily relinquishes any
14 rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge
15 this Consent Agreement in its entirety as issued by the Board, and waives any other cause of
16 action related thereto or arising from said Consent Agreement.

17 3. This Consent Agreement is not effective until approved by the Board and signed by
18 its Executive Director.

19 4. All admissions made by Respondent are solely for final disposition of this matter
20 and any subsequent related administrative proceedings or civil litigation involving the Board and
21 Respondent. Therefore, said admissions by Respondent are not intended or made for any other
22 use, such as in the context of another state or federal government regulatory agency proceeding,
23 civil or criminal court proceeding, in the State of Arizona or any other state or federal court.
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1 5. Upon signing this agreement, and returning this document (or a copy thereof) to the
2 Board's Executive Director, Respondent may not revoke the acceptance of the Consent
3 Agreement. Respondent may not make any modifications to the document. Any modifications to
4 this original document are ineffective and void unless mutually approved by the parties.

5 6. This Consent Agreement, once approved and signed, is a public record that will be
6 publicly disseminated as a formal action of the Board and will be reported to the National
7 Practitioner Data Bank and to the Arizona Medical Board's website.

8 7. If any part of the Consent Agreement is later declared void or otherwise
9 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force and
10 effect.

11 
12 _____
DARIUSH GHAFARI, M.D.

Dated: 8/3/06

1 **FINDINGS OF FACT**

2 1. The Board is the duly constituted authority for the regulation and control of the
3 practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of license No. 21840 for the practice of allopathic
5 medicine in the State of Arizona.

6 3. In December 2005 Dariush Ghaffari, M.D., ("Respondent") filed his license renewal
7 application with the Arizona Medical Board ("Board"). Respondent indicated that on October 3,
8 2005 the Nebraska Medical Board ("Nebraska Board") had taken against him requiring, among
9 other things, he take courses in controlled substance record keeping/documentation and
10 prescription writing; he abstain from use/possession of controlled substances and prescription
11 drug; he submit to random drug testing; he submit to audits of his patients' treatment records; and
12 he not possess or keep any controlled substance on the premises of his medical practice.
13 Respondent also reported two hospitals had suspended and subsequently reinstated his
14 privileges.

15 4. On August 3, 2006, Respondent appeared for an interview with Board Staff and
16 was presented with an Interim Order to present for Biological Fluid and Hair Test. Respondent
17 refused to submit for the testing and stated he would surrender his license.

18 5. Respondent admits to the acts described above and that the acts described in
19 paragraph 3 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(o) ("Action that is
20 taken against a doctor of medicine by another licensing or regulatory jurisdiction due to that
21 doctor's mental or physical inability to engage safely in the practice of medicine, the doctor's
22 medical incompetence or for unprofessional conduct as defined by that jurisdiction and that
23 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this paragraph.
24 The action taken may include refusing, denying, revoking or suspending a license by that
25

1 jurisdiction or a surrendering of a license to that jurisdiction, otherwise limiting, restricting or
2 monitoring a licensee by that jurisdiction or placing a licensee on probation by that jurisdiction.")

3 **CONCLUSIONS OF LAW**

4 1. The Board possesses jurisdiction over the subject matter hereof and over
5 Respondent.

6 2. The Board possesses statutory authority to enter into a consent agreement with a
7 physician and accept the surrender of an active license from a physician who admits to having
8 committed an act of unprofessional conduct. A.R.S. § 32-1451(T)(2).

9 **ORDER**

10 IT IS HEREBY ORDERED THAT License Number 21840, issued to Dariush Ghaffari, M.D.
11 for the practice of allopathic medicine in the State of Arizona, is surrendered.

12 DATED AND EFFECTIVE this 11th day of August 2006.

13
14 (SEAL)



ARIZONA MEDICAL BOARD

15
16 By Timothy C. Miller
TIMOTHY C. MILLER, J.D.
Executive Director

17 ORIGINAL of the foregoing filed this
18 11th day of August 2006 with:

19 The Arizona Medical Board
9545 East Doubletree Ranch Road
20 Scottsdale, AZ 85258

21 EXECUTED COPY of the foregoing mailed by
22 ~~Certified~~ Mail this 11th day of August 2006 to:

23 Dariush Ghaffari, M.D.
Address of Record

24 For McGraw
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